

Remarks/Arguments

In response to the Office Action, the applicants offer the following remarks. The remarks are provided in the order of the paragraphs as presented in the Office Action.

A. Anticipation, Section 102(e)

The Office Action rejects claims 1, 3, 4, 6, and 11 under 35 U.S.C. § 102(e) as being anticipated by United States Patent No. 5,498,709 issued to Navia et al. That rejection is rendered moot, for purposes of the present application, because the applicants have cancelled claims 1, 3, 4, 6, and 11 without prejudice. Specifically, the applicants preserve the right to re-introduce these claims in a subsequent continuing application that claims priority to the subject application.

B. Objection: Allowable Claims Dependent Upon Rejected Base Claim

The Office Action objects to claims 5, 7-10, and 12 as being dependent upon a rejected base claim, namely, claim 1. The Office Action states that claims 5, 7-10, and 12 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The applicants have rewritten these claims, as suggested by the Office Action, to overcome the objection.

Specifically, amended claim 5 constitutes a rewrite of claim 5 in independent form including all of the limitations of the base claim 1 and intervening claim 4. Each of amended claims 7-9 and 12 constitutes a rewrite of that claim in independent form including all of the limitations of the base claim 1 (no claims intervene between claim 1 and any of claims 7-9 or 12). Claim 10 originally depended, and continues without amendment to depend, from claim 9.

C. Allowed Claims

The applicants acknowledge with appreciation the Examiner's indication that claims 13-48 have been allowed.

D. Comment on Statement of Reasons for Allowance

Pursuant to 37 C.F.R. § 1.104(e), to the extent that the Examiner's statement of reasons for the indication of allowable subject matter might be construed in any way to limit the scope of the allowed and allowable claims, the applicants respectfully disagree with that statement. Specifically, for example, it is not necessary to identify any particular claim limitation as absent

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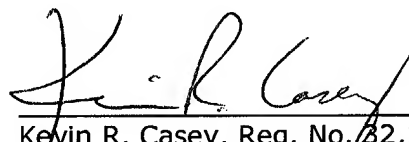
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from the prior art for a claim to recite patentable subject matter. Most, if not all, patentable inventions are necessarily combinations of elements.

E. Conclusion

For all of the foregoing reasons, pending claims 5, 7-10, and 12-48 are in condition for allowance. The rejections under 35 U.S.C. § 102 and the objections should all be withdrawn. Favorable action is earnestly solicited.

Respectfully submitted,



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